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12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 RUTH JONES,	}	Case No. CV 10-01075 GAF (PJWx)
16 Plaintiff,		
17 v.		
18 BARACK HUSSEIN OBAMA II, etc.,	}	DATE: July 26, 2010
19 Defendant.		TIME: 9:30 a.m.
		CTRM: Roybal - 740
	}	Honorable Gary A. Feess

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23 **REPLY MEMORANDUM OF POINTS AND AUTHORITIES**
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NO OPPOSITION HAS BEEN FILED

On June 25, 2010, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, Defendant Barack Obama filed his motion to dismiss on the grounds that this Court lacks subject matter jurisdiction over this case, as Plaintiff lacks standing to bring it and, further, as it presents non-justiciable political questions. Plaintiff was required to file her opposition no later than July 6, 2010. *See* Local Rule 7-9. As of July 9, 2010, no opposition had been received by this Office. A review of Pacer at the time of filing this reply indicates that no opposition had been docketed.

Plaintiff's failure to file an opposition provides an independent ground for this Court to grant Defendant's motion. Under the Local Rules, "The failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion." Local Rule 7-12. In addition to the reasons set forth in the moving papers, therefore, Plaintiff's failure to file an opposition constitutes an additional ground for this Court to grant the motion.

Accordingly, for the reasons set forth in the moving papers and in this reply brief, this Court is respectfully requested to grant President Obama's motion to dismiss the complaint in its entirety without leave to amend.

Respectfully submitted,

DATED: July 9, 2010

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